

**TOWN OF MEAD, COLORADO
ORDINANCE NO. 836**

**AN ORDINANCE OF THE TOWN OF MEAD, COLORADO, APPROVING THE
REQUESTED WAIVER OF THE DEFINITION OF A HOME BASED CHILD
CARE CENTER TO ALLOW EIGHT CHILDREN TO BE SERVED AT 16068
CINNAMON CIRCLE, MEAD, COLORADO, ADOPTING CERTAIN FINDINGS
OF FACT AND CONCLUSIONS FAVORABLE TO THE GRANTING OF THE
WAIVER.**

WHEREAS, a request for a waiver of the definition of a home based child care center to apply to the following described real property; to wit:

Mead Western Meadows FG#2, Lot 126,
16068 Cinnamon Circle, Mead, CO 80542

WHEREAS, in accordance with Section 16-3-150 of the *Mead Municipal Code*, the requested waiver application was considered at a regularly scheduled public meeting of the Board of Trustees on Monday, February 27, 2017; and

WHEREAS, Section 16-3-150 of the *Mead Municipal Code* provides that waiver request the only be made in conjunction with other applications; and

WHEREAS, Section 16-3-150 of the *Mead Municipal Code* provides certain criteria for approval of a waiver that is to be included in any ordinance; and

WHEREAS, Section 16-3-150 of the *Mead Municipal Code* provides that waiver requests may only be made in conjunction with other applications; and

WHEREAS, Section 16-3-150 of the *Mead Municipal Code* provides certain criteria for approval of a waiver that is to be included in any ordinance of the Board of Trustees justifying such approval; and

WHEREAS, the Board of Trustees has considered the following justifications for allowing the waiver of the definition of a home based child care center:

- a. The waiver will not alter the essential character of the neighborhood or district in which the property is located, nor diminish the value, use or enjoyment of adjacent property.
- b. The waiver is the minimum variance that will afford relief and is the least modification possible of the zoning provisions that are in question.
- c. Such practical difficulties or unnecessary hardship has not been created by the applicant. The state department of human services child care licensing controls the maximum number of children that may be placed in a home based child care center, in this instance, they have issued a license for six full-time children and two children, before and after school.

WHEREAS, it is the opinion of the Board of Trustees that it is desirable and necessary that the waiver for the described real property be granted in accordance with the application;

NOW THEREFORE, BE IT ORDAINED by the Board of Trustees of the Town of Mead, Weld County, Colorado, that;

Section 1. Approval of Waiver. The waiver for the above described property for the definition of a home based child care center is hereby approved. All activities conducted on the site shall be in conformance with the conditions contained in this approval and with the *Land Use Code* for the Town of Mead as though the same were set forth in full.

Section 2. Amendment of the Zoning Map. The official *Town of Mead Zoning District Map* as adopted by Section 16-3-103 of the *Mead Municipal Code*, and as subsequently amended, shall be amended by the addition of a note to the effect that a waiver to allow the home based child care center for six full-time children and two children before and after school has been approved.

Section 3. Ministerial Action. The Mayor and Town Clerk are authorized and directed to complete all the necessary procedures required to cause an appropriate note to be placed on the Zoning District Map and placed in the official records of the Town.

Section 4. Effective Date. This ordinance shall be published and become effective as provided by law.

Section 5. Validity. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of the Ordinance. The Board of Trustees hereby declares that it would have passed the ordinance including each part, section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more parts, sections, subsections, sentence, clauses or phrases are declared invalid.


Section 6. Necessity. In the opinion of the Board of Trustees of the Town of Mead, this ordinance is necessary for the immediate preservation and protection of the health, safety, welfare and property of the inhabitants and owners of property in the Town of Mead.

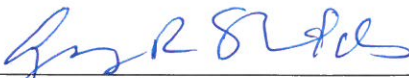
Section 7. Certification. The Town Clerk shall certify to the passage of this ordinance and make not less than one copy of the adopted Code available for inspection by the public during regular business hours.

INTRODUCED, READ, PASSED, ADOPTED AND ORDERED PUBLISHED THIS 27th DAY OF February, 2017.

ATTEST:

TOWN OF MEAD

By 
Linda Blackston, MMC, Town Clerk

By 
Gary R. Shields, Mayor

